

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

Honorable Stephen J Murphy III

-vs-

DR RAJENDRA BOTHRA

Case No 18-cr-20800

Defendant,
_____ /

RAJENDRA BOTHRA'S RESPONSE TO ORDER DATED
DECEMBER 1, 2021 [ECF 310 Pg ID No 2257-2258]

In an Order Adjourning Hearing and Requiring Briefing [ECF 310 Pg ID 2257-2258], this Court requested a response from counsel on the potential impact to the instant prosecution of the United States Supreme Court recently granting certiorari in two (2) cases¹ on the issue of good faith jury instructions when a physician is charged with 21 USC § 841.

As understood by undersigned counsel, it appears this Court is inquiring whether the trial in the instant cause should be adjourned for approximately twelve (12) to eighteen (18) months until the Supreme Court renders a decision. If

¹ *Kahn v United States*, — S Ct—, 2021 WL 5148069 (11/5/2021);
Ruan v United States, — S Ct—, 2021 WL 5148067 (11/5/2021).

RAJENDRA BOTHRA is to remain in pretrial detention during this period of time, in our estimation the same would constitute an unconscionable violation of due process.

Accordingly, we respectfully object.

Respectfully submitted,

ALAN T ROGALSKI
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/s/ Arthur Jay Weiss

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